



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: February 1, 2006

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Prospective lease of 215 West Elm Street, Lodi; the negotiating parties are the City of Lodi and County of San Joaquin relating to Court L-1 and L-3; price and terms are under negotiation; Government Code §54956.8
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Actual litigation: Government Code §54956.9(a); one case; Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Bill Sherrill, Lodi Police Chaplains

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations – None

- a) Presentation to Ken Sasaki for his 2005 Parks and Recreation Commission Chairmanship (PR)
- b) Presentation of Certificate of Appreciation to Tea Silvestre, Community Center Director, for her service to the City of Lodi community
- c) Presentation of Certificates of Recognition to participants in the Lodi Breakthrough Project
- d) Update on Centennial activities (CLK)

E. Consent Calendar (Reading; comments by the public; Council action)

E-1 Receive Register of Claims in the amount of \$3,878,440.04 (FIN)

- E-2 Approve minutes (CLK)
 - a) December 21, 2005 (Regular Meeting)
 - b) January 17, 2006 (Shirtsleeve Session)
- E-3 Receive quarterly report of purchases between \$5,000 and \$20,000 (FIN)
- E-4 Accept the Quarterly Investment Account report as required by law SB 564 (FIN)
- E-5 Accept improvements under contract for Pine Street Overlay Project – Ham Lane to Church Street (PW)
- E-6 Receive for informational purposes Contract Change Order – Kettleman Lane Gap Closure Project, Lower Sacramento Road to Ham Lane and Stockton Street to Cherokee Lane (PW)
- Res. E-7 Adopt resolution approving Technical Services Task Order Agreement with RMC, Water Consultants, for preparation of a State grant application for a Recycled Water Master Plan and appropriating funds (\$10,000) (PW)
- E-8 Authorize the City Manager to enter into a contract with Moore Iacofano Goltsman, Inc. in the amount of \$80,450 for contract services related to the preparation of the Eastside Mobility and Accessibility Plan (CD)
- Res. E-9 Adopt resolution authorizing destruction of certain records retained by the Lodi Police Department (PD)
- E-10 Set public hearing for February 15, 2006, to consider the Planning Commission's recommendation regarding the request to award 65 medium density growth management allocation units; a zone change from Residential Multiple-Family to Planned Development and the associated development plan; and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for 65 single-family dwelling units on the north side of Harney Lane between Panzani Way and Melby Drive (File numbers: ND-05-01, GM-05-03, Z-05-04; Jeffrey Kirst on behalf of Tokay Development, applicant) (CD)
- E-11 Set public hearing for February 15, 2006, to consider resolution approving new rates for solid waste collection (PW)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Res. I-1 Public hearing to consider resolution adopting the San Joaquin County Regional Transportation Impact Fee (RTIF) and authorizing the City Manager to execute Fee Program Operating Agreement (PW)

J. Communications

- J-1 Claims filed against the City of Lodi
 - a) Curtis and Rhonda Gokey, date of loss 12/31/05

J-2 Appointments

- a) Post for vacancy on the Lodi Arts Commission (CLK)
- b) Appointment to the Greater Lodi Area Youth Commission (CLK)
- c) Appointments to the Grape Bowl Ad Hoc Committee (PR)

J-3 Miscellaneous – None

K. Regular Calendar

K-1 Review of the City's Annual Financial Report (Fiscal Year 2004-05) by Macias, Gini & Company (FIN)

Ord. K-2 Introduce ordinance amending Lodi Municipal Code Title 12 – Streets, Sidewalks, and Public Places, by adding Chapter 12.03, "Sidewalks" to place liability on the adjoining property owner as permitted under state law (CA)

NOTE: This item is carried over from the meetings of 1/4/06 and 1/18/06

Pulled Res. K-3 Adopt resolution establishing and adjusting rental fees for Parks and Recreation facilities (PR)
NOTE: This item is carried over from the meeting of 1/18/06

Pulled Res. K-4 Adopt resolution approving amendment to San Joaquin Council of Governments Joint Powers Agreement to add two additional voting members to the Board, one each from the San Joaquin County Board of Supervisors and the city of Stockton (PW)
NOTE: This item is carried over from the meeting of 1/18/06

Pulled K-5 Reconsideration of the January 4, 2006, Council action taken regarding the future direction of the Community Separator/Greenbelt Task Force

Pulled K-6 Approve fee contract with Angelo, Kilday & Kilduff for representation of City of Lodi in *Peter Rose et al. v. the City of Lodi, et al.*; United States District Court, Eastern District of California, Case No. CIV.S-05-02229 (CA)

Pulled Res. K-7 Adopt resolution adopting and establishing rules for the conduct of meetings, proceedings and business, thereby rescinding Resolution 2004-282 (CA)

L. Ordinances

Pulled Ord. L-1 Ordinance No. 1769 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code, Title 12, Chapter 12.12. – Parks – by Adding Article VI, "Waterfowl and Migratory Birds" (CLK)

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk